

**Town of Shrewsbury - Board of Selectmen  
Richard D. Carney Municipal Office Building – Selectmen's Meeting Room  
100 Maple Avenue  
Monday, March 10, 2003 at 7:00 PM**

**Minutes**

**Present:**

Bruce Card, Maurice DePalo, Thomas Fiore, Philip Hammond, John Lebeaux and Daniel Morgado, Town Manager. Mr. Fiore, Chairman, called the meeting to order at 7:04 pm.

**Preliminaries:**

1. Approve bills, payrolls and warrants #0371 in the amount of \$259,730.63 and #0374 in the amount of \$781,777.59. Motion was made, seconded and unanimously voted to approve.
2. Approve Minutes of February 24, 2003. Motion made, seconded and unanimously approved.
3. Announcements – No announcements this evening.
4. Town Manager's Report - Nothing other than what is on the Agenda.

**Meetings:**

**Public Hearings:**

5. 7:00pm – EDIC. Hannah Kane, Chair, Christopher Boehm, Pat Convery, Alden Harris, II and Richard Ricker of the EDIC were present. Ms. Kane updated the Board on their progress to date. They have reviewed all the materials related to Allen Farm, market conditions, utility requirements in relation to the park and prospective resources. They want to make sure that this project is a benefit and not a detriment to the Town. Ms. Kane said that they had come to the conclusion that the best way to proceed is to form a partnership with a development corporation. The best partner would be a nonprofit firm as they would be a better match for the Town. The group is working on a request for proposals. She added that the group would like to have their name changed to the Shrewsbury Development Corporation and asked for the Board's approval. Mr. Fiore advised the committee that the Board is pleased with their progress and would like them to take charge of this project and run with it. He added that they have every confidence in the people they had appointed to this task. He informed the committee that the Board would like to see a master plan developed on the project which would be presented in a public hearing. The Board asks only that they be kept informed of the group's progress in quarterly updates or if a matter needs their immediate attention. Motion was made, seconded and unanimously voted to change the name of the Shrewsbury Corporation to the Shrewsbury Development Corporation. The Board also advised the Corporation that their goals were excellent.
6. 7:30pm – Cherry Street Connector Road. Jack Perreault, Town Engineer was present. He explained the history and layout of the project. The layout aligns with Cherry Street north and will connect Centech Park with the train station and route 20. Funding has been secured by WBDC, the developers of Centech Park. The road must be laid out as a public way as a requirement of the disbursement of the funding. Shrewsbury will be responsible for the design and construction of the roadway. Access to route 20 will be through a signalized intersection. Mr. Fiore opened the hearing to the public. Several residents voiced concern about traffic exiting Hebert's and turning into their cul de sac instead of going towards route 20. They also talked about traffic on the roadway caused by events at Hebert's. Mr. Fiore said he felt this issue could be resolved and Mr. Perreault said that they would speak to the Hebert people. Motion was made, seconded and unanimously voted to close the hearing. On a motion by Mr. Lebeaux, the Board voted pursuant to General Laws, Chapter 82, to lay out and make public a proposed connector road to extend from Hartford Turnpike (Route 20) southerly to Pine Street located in the Town of Grafton as shown on the plan entitled "Plan of Land Showing Proposed Connector Road Pine Street to Route 20 Shrewsbury/Grafton MA prepared for Worcester Business Development Corporation" dated February 18, 2003 and subsequent revisions. Motion was seconded and unanimously voted. The Town of Grafton will act on this matter at their annual town meeting in May. Mr. Morgado also reminded the Board that they need to address the naming of the road. However, that does not need to be done this evening.
- 6a. 8:00pm- Enterprise Rent-a-Car, 800 Hartford Turnpike, Stuart J. Stumpf, Mgr., Class II License. Hours of operation: Monday-Friday 8:00am-7:00pm, Saturday, 9:00am-4:00pm. Richard Ricker, attorney representing

Enterprise Rent-A-Car, and Pamela Roy, Regional Mgr., were present. Mr. Fiore rescued himself citing possible conflict of interest and Mr. DePalo assumed the chair and reviewed the previous hearing with Enterprise. After a discussion the Board concluded that a Class II license is ancillary to the operation of this business. Therefore, granting of this license would not be against the Board's policy. As there was no public comment, motion was made, seconded and voted four in favor with one abstention to close the hearing. Motion was made to approve a Class II License for Enterprise Rent-A-Car, 800 Hartford Turnpike, subject to the terms and conditions of the ZBA and Planning Boards and submission of signage plans. A maximum of 100 vehicles on lot with no more than 50 for sale. Repairs limited to cosmetics only. Class II license is ancillary to business function, primary business is vehicle rental. Motion was seconded and approved with four in favor and one abstention.

Mr. Lebeaux suggested that the Board discuss the revision of Policy 9 at a future meeting. Mr. Fiore set that discussion for April 7, 2003.

#### **Old Business:**

7. Vote on CATV License Renewal. Mr. Fiore reviewed the public hearing on February 24<sup>th</sup> on the CATV license renewal. The Board will review the hearing, make a finding and make the issuing authority report this evening. There are three options available 1) accept the report as presented and eliminate the option for free public access; 2) continue the option of offering free public access to non subscribers; 3) accept an amendment to impose a minimum fee of \$31.80 per year for the service. The cost to provide this service to those who do not pay for cable is \$270,000 and this cost is borne by those who do pay for the service. In light of this, the Board decided that option 3, to grandfather existing customers and assess new residents a fee of \$31.80 per year would be appropriate. Motion was made to request the Light commission to amend the Shrewsbury's Light Plant cable system license renewal application dated December 23, 2002, by amending Section 6.3 Peg Access Channels to allow for the Licensee to make access available to three analog PEG channels to non-CATV subscribers at an annual cost equal to: The Licensee's total expense related to PEG channels divided by the total number of Basic subscribers. The rate, effective April 1, 2002, is \$31.80 per year. The rate shall be adjusted annually, billed April first of each year. Failure to make payment for the service will result in the service being disconnected. Residents requesting the PEG channels will be charged an installation fee identical to any new CATV subscriber. Other policies regarding charges for line extensions and service drop charges would apply. Residents receiving three free PEG channels on or before March 28, 2003 may continue to receive the three PEG channels without charge. Motion was seconded and voted four in favor and one opposed. The Board also advised the SPAC group to seek volunteers to solve their staffing problems. The Board moved to find that Shrewsbury Community Cablevision has substantially complied with the material terms of the existing franchise and with applicable law, and that the quality of Shrewsbury Community Cablevision service, including signal quality, response to consumer complaints and bill practices has been reasonable in light of community needs, and that Shrewsbury Community Cablevision has the financial, legal and technical ability to provide services, facilities and equipment as set forth in their renewal proposal, and that Shrewsbury Community Cablevision's proposal is reasonable to meet the future cable-related community needs and interest. Motion was seconded and unanimously approved. It was further moved that the Board grant a CATV license renewal to Shrewsbury's Electric Light Plant with Shrewsbury's Community Cablevision as system operator for a ten-year period from March 28, 2003 to March 28, 2013. It was further moved that the Board issue a public statement for the reasons it voted to grant the proposed CATV license renewal as set forth in the draft provided to the Board of Selectmen on March 3, 2003. Motion was seconded and unanimously approved. The Board complimented Shrewsbury Community Cablevision on the outstanding service it provides to the town.
8. Review Warrant for Special Town Meeting. Mr. Morgado advised the Board that several property owners in the areas proposed for rezoning had made it known that they did not wish to have their property included. The article has been revised to leave them as they are now. Board endorsed the changes. The Finance Committee will be meeting on March 20<sup>th</sup> to discuss the warrant. Mr. Morgado asked for the Board's endorsement of Articles 8 and 9 so that he could relay that to the Finance Committee. Articles 1-6, motion was made seconded and unanimously voted to recommend. Articles 7-9, motion made, seconded and unanimously voted to approve. Article 10, Mr. Lebeaux recused himself citing possible conflict of interest. Motion was made, seconded and voted four in favor with one abstention to approve. Article 11, Shrewsbury Commons land, motion was made to approve, seconded and unanimously voted.

#### **New Business:**

9. Act on Appointment of Town Manager - term to expire September 30, 2006. The subcommittee, Mr. Card and Mr. Lebeaux, reviewed the proposed contract and their report. Motion was made, seconded and unanimously voted to accept the report. Motion was made to approve the Town Manager's contract as proposed, extending the contract to 2006. Motion was seconded and unanimously voted. Motion was made to appoint Daniel J. Morgado, Town Manager beginning October 1, 2003 through September 30, 2006. Motion was seconded and unanimously voted to approve.
10. **Revision** - Shrewsbury Rotary Club, One Day Wine & Malt Beverages License for Wine Tasting Event at Glavin Regional Center, **Note** – Location changed to The Sumner House, 5 Church Road. Thursday, April 3, 2003, 6:00pm-10:00pm. Motion was made, seconded and unanimously voted to approve the application as amended.
11. Joseph Arcabascio for St. Mary's Roman Catholic Church, Main Street. One Day All Alcohol License for St. Patrick's Day celebration "O'Connell's Pub" on Saturday, March 15, 2003, 7:00pm-11:00pm. Motion was made, seconded and unanimously voted to approve the license.
12. Shrewsbury Parks & Recreation. One Day Common Victualler's License for Annual 4<sup>th</sup> of July Celebration at Dean Park, Friday, July 4, 2003 from 12:00 noon to 4:00pm. Motion was made, seconded and unanimously voted to approve the license.
13. Shrewsbury Parks & Recreation. One Day Common Victualler's License for Spirit of Shrewsbury Post Parade Celebration, Sunday, September 28, 2003 from 12:00 noon to 6:00 pm at Dean Park. Motion was made, seconded and unanimously voted to approve the license.
14. Jeannie Hebert, Hebert Candies, 575 Hartford Turnpike. One Day Wine & Malt Beverages License for Charity Wine Tasting to benefit Muscular Dystrophy Assoc., Thursday, March 20, 2003, 6:00pm to 8:00pm. Motion was made, seconded and unanimously voted to approve the license.
15. Review and Sign Warrant – Annual Town Meeting. Mr. Morgado advised the Board that this is a 32 Article Warrant and proceeded to review those Articles. After a brief discussion, motion was made to sign the Annual Town Meeting Warrant. Motion was seconded and unanimously approved.

#### **Executive Session:**

#### **Communications:**

16. Noted copy mailed: Notice from CleanHarbors re Response Action Outcome Statement-Gasoline Release, 50 Boston Turnpike.
17. Noted copy mailed: MMA Legislative Bulletin, February 21, 2003.
18. Noted copy mailed: Notice from MMA re 2003 Spring Regional Update Meetings.
19. Noted copy mailed: Notice – Library Advocates Breakfast. Board to let the Manager know if they wish to attend.
20. Noted copy mailed: SELPSCC Commission Meeting Minutes, 1/13/03 & 1/27/03
21. Noted copy mailed: E-mail from Laurie Hogan re Request to continue offering free public access channels to town residents
22. Noted copy mailed: E-mail from P.K.Erickson re SPAC.
23. Noted copy mailed: Invitation from Senator Glodis to attend a public hearing on repealing the pharmacy assessment on March 11<sup>th</sup> at the State House.
24. Noted copy mailed: Invitation from Rep. Polito to meet the new Sec. of Elder Affairs, Jennifer Casey, on March 7<sup>th</sup> at the Senior Center.
25. Noted copy mailed: Spring Field Meeting Notice from Parks & Recreation Dept.
26. Noted copy mailed: MMA Action Alert #3, 2/26/03.
27. Noted copy mailed: Letter from I495/MetroWest Corridor Partnership re new organization.
28. Noted copy mailed: School Committee Agenda, 3/5/03.
29. Noted copy mailed: Floral Street School Ground Water Recharge (plan on file in BOS office).
30. Noted copy mailed: Proposition 2 ½ Ballot Questions from Mass. Dept. of Revenue.
31. Noted copy mailed: ZBA Hearing Minutes, 2/5/03, Kyle Ritchie, 19 Raymond Avenue.
32. Noted copy mailed: ZBA Hearing Minutes, 2/5/03, Andrew & Rebecca Thompson, 22 Millwood Drive.
33. Noted copy mailed: ZBA Hearing Minutes, 2/5/03, Marianne Simone Frongillo, 574 Lake Street.
34. Noted copy mailed: ZBA Hearing Minutes, 2/5/03, Anthony Montonari, 6 Wood Street.
35. Noted copy mailed: Memo from Dept. of Housing & Community Development re Guidelines for New Chapter 40B Regulations.
36. Noted copy mailed: E-mail from Douglas Smith, re Rezoning.

37. Noted copy mailed: Letter from Joseph Armenti asking not to be reappointed as an Associate Member of the Zoning Board of Appeals. Board will need to appoint a replacement by the end of the month. Interested parties are asked to send a letter to the Board.
38. Noted copy mailed: Mass. Dept. of Revenue Bulletin 2003-05B, March 2003, re Training Programs for Assessors.
39. Noted copy mailed; E-mail from Thomas Rooney, 5 Birch Lane re Request Not to Rescind Free Cable.
40. Noted copy mailed: E-mail from Joseph Racicot, interest in volunteering for involvement in Town Politics.
41. Noted copy mailed: Letter from Sec. Grabauskas, Exec. Office of Transportation & Construction re Route 20 Connector Road.
42. Noted copy mailed: Mass. Dept. of Revenue Bulletin 2003-06B, Fiscal Year 2004 Regional School Budgets.
43. Noted copy mailed: Letter from Town of Grafton Selectmen to Gov. Romney re FY 2003 & FY 2004 Budgets.
44. Noted copy mailed: Letter from George Bergstrom, Vice Chair Human Services Advisory Committee re status of committee. Mr. Bergstrom advises that this group has not had a meeting in three years. Will contact him to get his opinion on whether the committee should be disbanded.
45. Noted copy mailed: Planning Board Meeting Minutes, 2/6/03 & 2/27/02.

Motion was made, seconded, and unanimously voted to adjourn at 9:55 pm.

Respectfully submitted,

Janice C. McCoy  
Secretary